

Agent Orange is a herbicide that was used during the Viet Nam War. 2,4,5-T and its contaminant TCDD were elements in Agent Orange. 2,3,7,8-TCDD is also known as dioxin, which in January 2001 was added to the list of substances "known to be human carcinogens" by the National Toxicology Program of the National Institute of Environmental Health Science of the National Institutes of Health. The use of this herbicide has caused serious health problems for many Viet Nam vets, and if the Millennium Pipeline is built, the residents of Westchester in the coastal management zone (CMZ) and beyond will also become its victim. 2,3,7,8-TCDD was in the herbicide used by Con Edison on their right of way (ROW) in the 1970s to early 1980s. According to the EPA, dioxins can alter the fundamental growth and development of cells in ways that have led to adverse consequences, including suppression of the immune system and cancer. Exposures in the range of 1 ppb are considered dangerous, and 2,3,7,8-TCDD is the most toxic of the family of dioxins.

The half-life of dioxin has not been determined. Currently, the EPA estimates the half-life in soil to be between 10 and 30 years. Other toxicologists have estimated the half-life to be much longer - from 50 to 100 years. Therefore, it is likely that it is still in the soil on the cleared portion of the ConEdison ROW. Because dioxins bind tightly to the soil, they reside within the top 6 inches or less. This top layer of soil will be disturbed by the use of heavy construction equipment, blasting, and leveling of the land required for the pipeline construction in the CMZ. These activities will cause this dioxin to become airborne as a lethal dust that will contaminate hundreds of people, pets, and wildlife in addition to soil, gardens, and other vegetation.

FERC has asserted that "it is less likely that herbicide residues exist on areas that might be affected by construction of the Millennium pipeline because those areas are primarily along the uncleared outer portion of the right of way." This is a misstatement that spotlights FERC's ignorance of what will be done to the land in the CMZ during the construction of the pipeline. In addition to creating the trench for the pipeline, many acres of land will be leveled to create a 75-foot strip of land for access for the machinery needed to create that trench. In some cases land will be leveled and then regraded, in others, the land will be stepped- in all cases there will be

major disruption of the soil on the already cleared portion of the right-of-way. The FERC itself states that "the most likely way for these compounds to migrate from where they are initially applied is via the bulk motion of the soil to which they adhere. This would include erosion and surface water run-off, blowing dust, vehicle traffic or vigorous excavation blasting; or the physical movement of the soil as part of construction and regrading activities." All of these actions would disrupt the soil at least 6 inches down, but most likely even deeper. Dioxin resides in that top layer of the earth. When the dust containing this dioxin is released into the air it will contaminate everything and everyone within a radius of 30 miles- at a minimum. It will be impossible for any adult, child, or infant to avoid dioxin contamination. I am already in the middle of a battle with cancer, and I am terrorized by the threat of dioxin contamination to myself, my family, and my neighbors and all of our belongings and property day after day. At the least, it will cause severe health problems and at the worst, death. The FDEIS states that "even if 2,3,7,8-TCDD is present within those portions of the ConEd right-of-way that would be used for installation of the pipeline in concentrations higher than those found by Millennium [who admittedly did NOT test for 2,3,7,8 TCDD] or the village [Croton], there is no evidence that these concentrations would be high enough to constitute a health hazard considering the extremely short period of time (1 to 3 months) of exposure." The hundreds of individuals who live near the pipeline construction will be exposed to the contaminated dust anywhere from 12 to 24 hours a day for many years as the dust will permeate not only their skin and respiratory tract, but continued contamination will occur as they repeatedly come in contact with the residual fine dust that will be impossible to remove from their homes and everything that they use in those homes. And it will be years before the dioxin breaks down. The concentration of 2,3,7,8-TCDD in commercial 2,4,5-T before the ban was anywhere from 2-30 ppm. Currently, it is known that 1 ppb is cause for health concerns.

It is irresponsible to allow Millennium to endanger the health of everyone within the CMZ and beyond. This is no less malicious than terrorists who are threatening the citizens of the United States with biological warfare. Millennium has been less than honest in grandstanding by testing for 2,4,5-T and 2,4-D. We would have saved them the time and the money if we knew that was

what they were testing for - the compounds they tested for have short half-lives and are long gone- dioxin, which they admit they did not test for is very likely still there.

The only responsible action is for an independent third-party to rigorously test the soil in multiple sections of the right-of-way for dioxin. Testing has never been done along the pipeline route, construction areas, and the areas that will be impacted by blasting. We are talking about the health --and possibly the lives of the thousands of people who live within the CMZ--and beyond.

To ask the residents within the CMZ who will be affected to take such a health risk simply to line the pockets of big business is unconscionable and far outweighs any possible benefit of the proposed route. It is also inconsistent with CMP 18--the national interest will not be served by increasing the cancer rate and resultant mortality rate in the CMZ. I am sure that neither FERC nor Millennium nor the DOC wants to be responsible for causing an increase in cancer and the corresponding mortality that will occur if dioxin is on the land in question. It is essential that the results of dioxin testing are known BEFORE construction. It is beyond our comprehension how this project has been allowed to move forward without dioxin testing. We are talking about people's lives! NO ONE has tested on the ROW as permission to do so was denied to both the village of Croton and the town of Cortlandt by ConEdison. The village of Croton on Hudson did test for dioxin on village property - and extrapolating from that data concluded that concentrations of dioxin on the right of way are likely to exceed public health standards. However, the regulatory cleanup levels do not necessarily apply in this situation as the concern is inhalation of the dioxin as it is carried by soil and rock dust. A dust that will permeate everything and result in prolonged and almost continual exposure to the most lethal of dioxins.

To stop this insanity, someone must test for dioxin. Someone must test--not for our peace of mind, but for our health and very possibly the lives of a large number of the residents of the CMZ! It is the only responsible action.

Sincerely,

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